

Message Text

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51

ORIGIN SS-25

INFO OCT-01 ADP-00 CCO-00 SSO-00 NSCE-00 (ADP) R

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L/EATJOHNSON

DOD/ISA:DR. SHIELDS

S/S:

EA:AWHUMMEL (SUNS)

WHITE HOUSE:BG SCOWCROFT

THE DEPUTY SECRETARY (SUBS)

S/S-O: JMEALUM

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Z O 281933Z JUL 73 ZFF4

FM SECSTATE WASHDC

TO AMEMBASSY SAIGON FLASH

CHUSDEL FPJMT FLASH

AMEMBASSY PARIS IMMEDIATE

INFO JCRC NKP THAILAND

CINCPAC IMMEDIATE

S E C R E T STATE 149080

EXDIS

E.O. 11652: GDS

TAGS: PFOR, VN, VS, LA, CB

SUBJECT: NOTE TO DRV ON MIA'S

REF: (A) STATE 130032 (B) CH USDEL FPJMT DTG 280830Z

JUL 73

1. IN VIEW CONTINUED LACK OF COMPLIANCE BY COMMUNISTS
SIDE WITH PROVISIONS FOR ACCOUNTING FOR MIA'S AND RETURN
OF REMAINS, WE PROPOSE FOLLOWING NOTE BE DELIVERED BY
U.S. EMBASSY TO DRV EMBASSY IN PARIS MONDAY, JULY 30.
ANY COMMENTS OR SUGGESTED CHANGES SHOULD BE TRANSMITTED
BY FLASH MESSAGE FOR CONSIDERATION HERE SUNDAY MORNING

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JULY 29.

2. TEXT OF NOTE IS AS FOLLOWS: IN VIEW OF THE FACT THAT MORE THAN SIX MONTHS HAVE ELAPSED SINCE THE SIGNING OF THE JANUARY 27, 1973 AGREEMENT ON VIET-NAM AND MORE THAN SIX WEEKS SINCE THE SIGNING OF THE JOINT COMMUNIQUE OF JUNE 13, 1973, THE USG NOTES WITH SERIOUS CONCERN THAT THE DRV HAS FAILED TO COMPLY WITH ARTICLE 8B OF THE AGREEMENT AND PARAGRAPH 8E OF THE JOINT COMMUNIQUE WHICH REQUIRE THE PARTIES TO "HELP EACH OTHER TO GET INFORMATION ABOUT THOSE MILITARY PERSONNEL AND FOREIGN CIVILIANS OF THE PARTIES MISSING IN ACTION, TO DETERMINE THE LOCATION AND TAKE CARE OF THE GRAVES OF THE DEAD SO AS TO FACILITATE THE EXHUMATION AND REPATRIATION OF THE

REMAINS, AND TO TAKE ANY SUCH OTHER MEASURES AS MAY BE REQUIRED TO GET INFORMATION ABOUT THOSE STILL CONSIDERED MISSING IN ACTION." ALTHOUGH THERE HAVE BEEN CONTINUING DISCUSSIONS OF THESE SUBJECTS IN THE FPJMT, THE DRV HAS REFUSED TO COOPERATE IN THE NECESSARY ACTIONS TO IMPLEMENT THIS BASIC HUMANITARIAN OBLIGATION.

THE USG HAS PROVIDED COMPLETE LISTS OF AMERICAN PERSONNEL LISTED AS MISSING IN ACTION WITH REQUESTS FOR INFORMATION. NO INFORMATION HAS BEEN PROVIDED. THE USG HAS REPEATEDLY SOUGHT TO ARRANGE THE REPATRIATION OF REMAINS OF AMERICANS WHO DIED IN CAPTIVITY. NO REMAINS HAVE BEEN REPATRIATED. THE USG HAS REQUESTED PERMISSION FOR TEAMS FROM THE JOINT CASUALTY RESOLUTION CENTER TO CARRY OUT THE PEACEFUL AND OPEN MISSION OF SEARCHING FOR THE MISSING AND DEAD. COOPERATION FOR THIS HUMANITARIAN MISSION HAS NOT BEEN FORTHCOMING.

THE ACCOUNTING FOR THE MISSING AND THE REPATRIATION OF REMAINS ARE PURELY HUMANITARIAN OBLIGATIONS UNRELATED TO OTHER ISSUES. THEY COULD HAVE BEEN LARGELY CARRIED OUT BY NOW IF A SPIRIT OF GOODWILL AND COOPERATION HAD BEEN MANIFESTED ON THIS SUBJECT. THIS WOULD HAVE BROUGHT SOLACE TO THE FAMILIES AND LOVED ONES OF THE MORE THAN 1300 AMERICANS LISTED AS MISSING, AND OF THOSE WHO HAVE

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DIED BUT WHOSE BODIES HAVE NOT BEEN RETURNED.

THE USG CALLS AGAIN ON THE DRV TO HELP TO GET INFORMATION ON THE MILITARY PERSONNEL AND FOREIGN CIVILIANS OF THE PARTIES MISSING IN ACTION. THIS CAN BE ACCOMPLISHED PROMPTLY BY RESPONDING TO THE REQUEST FOR INFORMATION ON

THE LISTS THAT HAVE ALREADY BEEN PROVIDED. THE USG
WOULD BE PLEASED TO PROVIDE ADDITIONAL DATA ON SPECIFIC
CASES TO ASSIST IN GETTING SUCH INFORMATION. THE USG
ALSO REQUESTS THE DRV PROMPTLY TO ACCOMPLISH THE EXHUMA-
TION AND REPATRIATION OF REMAINS, AND TO ENABLE THE JCRC
TO CARRY OUT ITS HUMANITARIAN MISSION. END TEXT

3. WE PLAN TO RELEASE NOTE TO PRESS AS SOON AS IT IS
DELIVERED. FYI, TIMING OF NOTE IS RELATED IN PART TO
NATIONAL CONVENTION OF NATIONAL LEAGUE OF FAMILIES OF
AMERICAN PRISONERS AND MISSING IN SEA, WHICH IS CURRENTLY
MEETING IN WASHINGTON. END FYI. ROGERS

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NNN

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